

Docket No.: M4065.0882/P882
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Martin J. Agan

Application No.: 10/662,445

Confirmation No.: 9831

Filed: September 16, 2003

Art Unit: 2622

For: METHOD AND APPARATUS FOR
CONTROLLING INTEGRATION TIME IN
IMAGERS

Examiner: S. T. Gebriel

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the election of species requirement set forth in the Office Action mailed July 15, 2008, Applicant hereby elects Species I, directed to Figure 3 for continued examination, without traverse. At least claims 1-3, 5-12, 14-23, 27-39, 41-53, 57-64, 66, 69-76, 78, 82-90, 92-97, 99 and 103-106 read on Species I.

Applicant's election is made without prejudice. As noted by the Examiner, claims 1, 6, 31, 41, 51 and 84 are generic. Upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to not more than a reasonable number of species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.146.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

Dated: July 29, 2008

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Elizabeth Parsons

Registration No.: 52,499

DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW

Washington, DC 20006-5403

(202) 420-2200

Attorneys for Applicant